

### **Remarks/Arguments**

This Amendment has been prepared in response to the non-final Office Action of March 20, 2006 regarding the above-identified U.S. Patent Application.

In that Action, the Examiner noted that claims 1 and 2 have been withdrawn, objected to claims 3-5, inclusive, under 35 U.S.C. § 112 (second paragraph) as being indefinite in relation to certain words and phrases employed in these claims, and rejected claims 3-5, inclusive, substantively under 35 U.S. C. § 102(b) as being anticipated by U.S. Patent No. 6,226,955 to Lorrigan.

Applicant (1) has carefully reviewed the Examiner's Action and the cited reference, (2) has reviewed the specification, claims, abstract and drawings in this case, (3) proposes modest changes in the texts of claims 3, 4 and 5, and (4) has introduced a new claim 6, and for the reasons set forth below, asserts that all claims now presented in this application, on the basis of entry of this Amendment, are clearly distinguishable over the single cited and applied prior art reference, and are therefore patentable.

With respect to the Examiner's several objections to certain claims under 35 U.S.C. § 112 (second paragraph), while applicant disagrees with the Examiner's objections, he nevertheless addresses these objections by proposing modest current amendments in the claims 3, 4 and 5.

Applicant could not disagree more with the Examiner's conclusion that the Lorrigan reference is a fully anticipating reference. Nor is it a reference which in any way suggests any aspect of Applicant's invention.

In the disclosure of the Lorrigan patent, what is illustrated and described is the

insertion, at one or more locations within a building which is under construction, an upright element which extends through holes that are provided in building floors to support the base of an overhead crane. This inserted support component forms no part of the framework of any building which is shown or suggested in the Lorrigan reference. In point of fact, the Lorrigan reference neither shows, discusses nor suggests any form of a beam-and-column frame, wherein the frame columns are employed directly to support an overhead crane. Support for the upright element in Lorrigan which is employed to hold a crane is delivered through lightweight, laterally-extending, tab-like elements which rest principally by gravity upon floor surfaces in a building.

Clearly, because Lorrigan does not disclose anything involving utilization of columns in a beam-and-column frame (a) for the support of a crane, and/or (b) for the introduction of other elements through the hollow core of a column, the Lorrigan reference neither shows nor suggests any nodal connections between interconnected, columns and beams. They simply don't exist in this cited and applied reference,

The Lorrigan crane-support element added during construction is not part of the frame structure of any building. If, by chance, the crane support structure utilized by Lorrigan is ultimately left within a building, it clearly forms no part of a nodally interconnected column-and-beam building frame.

Claim 3 has been modestly amended currently to make very clear that Applicant's invention is utilized with a column-and-beam frame, wherein columns and beams are interconnected through nodes. This claim has additionally been amended to point out that the utilized upper-end utility region called for in the claim is located substantially immediately above a beam and column nodal connection. This relationship results in the fact that any load applied

through this utility region by a davit crane or other structure is transmitted immediately into the nodally-interconnected, full building frame of columns and beams. As pointed out above, there is absolutely nothing like this shown or suggested in the Lorrigan reference.

Claim 4 has been currently amended to address language informalities raised in the Examiner's Action. This claim, which depends from currently amended claim 3, is patentable for the same reason that claim 3 is patentable.

Claim 5 has been currently amended, also to address another one of the Examiner's technical objections to claim language.

New claim 6 focuses on a deployable-crane building method which utilizes a provided column-and-beam building frame, wherein columns and beams are interconnected through nodes, with crane seating taking place through an open, upwardly-facing end in a column. This claim, for the same reason urged with respect to currently amended claim 3, fully distinguishes over anything shown or suggested by the Lorrigan reference, and is therefore patentable.

Accordingly, and for the reasons stated above, with entry of this Amendment, all claims then presented in this case are urged to be fully distinguishable from the cited and applied reference, and therefore to be recognized as being patentable. Accordingly, favorable reconsideration of this application, and allowance of all claims therein, are respectfully solicited. If the Examiner has any questions regarding the amendment or remarks, the Examiner is invited to contact Attorney-of-Record Jon M. Dickinson, Esq., at 503-504-2271.

**Provisional Request for Extension of time in Which to Respond**

Should this response be deemed to be untimely, Applicants hereby request an

extension of time under 37 C.F.R. § 1.136. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to Account No. 22-0258.

Customer Number

Respectfully Submitted,

56703

ROBERT D. VARITZ, P.C.

Registration No: 31436

Telephone: 503-720-1983

Facsimile: 503-233-7730

  
Robert D. Varitz

4915 S.E. 33d Place

Portland, Oregon 97202

**CERTIFICATE OF EXPRESS MAILING**

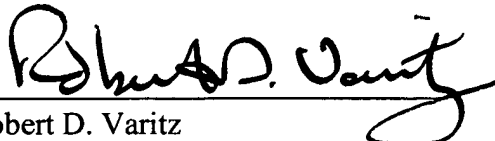
“Express Mail” Mailing Label No.

Date of Deposit - May 2, 2006

EV756095706US

I hereby certify that the attached Response to Office Action under 37 C.F.R. § 1.111 is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 22313-1450

  
Robert D. Varitz